

# SNIPS



Volume 2, Issue 12  
June 10, 2010

## DCA Programs



Are you doing great things for the environment? Do you participate in voluntary environmental events? Does your workplace go above and beyond regulatory requirements? If you answered yes, then [KY EXCEL](#) is a program for you.



The [Operator Certification Program](#) trains and certifies wastewater and drinking water system operators to ensure that these environmental professionals are qualified and prepared to properly treat and protect Kentucky's water resources.



The [Brownfield Program](#) helps communities and property owners identify meaningful solutions that encourage the cleanup and redevelopment of underused, contaminated properties.

## Air Permits Out for Public Notice

The following permits are out for public notice. The 30-day notice begins on the dates listed with each individual notice. For details regarding these permit notices, visit [http://www.air.ky.gov/homepage\\_repository/Public+Notices.htm](http://www.air.ky.gov/homepage_repository/Public+Notices.htm)

5/18/10 Rio Tinto Alcan  
5/19/10 EQT Gathering LLC  
5/27/10 McCammish Mfg. Co.  
5/26/10 Jim Beam Brands Co.  
5/26/10 Koppers Inc.  
5/26/10 TransKentucky Transportation Railroad Inc.  
5/28/10 2010 Annual Ambient Air Monitoring Network Plan  
6/1/10 Texas Gas Transmission LLC  
6/2/10 Columbia Gulf Transmission  
6/2/10 EQT Gathering LLC  
6/2/10 Texas Gas Transmission LLC  
6/3/10 ANR Pipeline Co.  
6/3/10 Midwestern Gas Transmission Co.  
6/3/10 Tennessee Gas Transmission Co.  
6/3/10 Texas Gas Transmission LLC  
6/4/10 Federal-Mogul Corp.

## DOW Files Amended Regulation

Pursuant to the notification requirements in KRS 13A, the Kentucky Division of Water (DOW) filed an amended regulation with the Legislative Research Commission (LRC) on June 4, 2010.

- [401 KAR 8:100](#) Design, construction, and approval of facilities
- [General Design Criteria](#) is updated and incorporated by reference in the regulation.

The public hearing for this proposed administrative regulation is scheduled for July 27, 2010. Individuals may submit written comments that identify anticipated effects through Aug. 2, 2010. DOW posts all regulations and amendments that are filed with LRC on its Web site at <http://www.water.ky.gov/regulations>. Filed regulations are also posted on the LRC's Web site at [www.lrc.ky.gov](http://www.lrc.ky.gov).

## EPA to Initiate Rulemaking to Reduce Harmful Effects of Sanitary Sewer Overflows



Environmental laws can often be confusing and challenging. The [Environmental Compliance Assistance Program](#) helps regulated entities understand and comply with environmental obligations, advocates for entities under represented in the regulatory process and facilitates moving beyond compliance to environmental leadership.

The U.S. Environmental Protection Agency (EPA) is initiating a rulemaking to better protect the environment and public health from the harmful effects of sanitary sewer overflows (SSOs) and basement backups. The EPA is considering two possible modifications to existing regulations: (1) establishing standard National Pollutant Discharge Elimination System (NPDES) permit conditions for publicly owned treatment works (POTWs) permits that specifically address sanitary sewer collection systems and SSOs; and (2) clarifying the regulatory framework for applying NPDES permit conditions to municipal satellite collection systems. Municipal satellite collection systems are sanitary sewers owned or operated by a municipality that conveys wastewater to a POTW operated by a different municipality. As a part of this effort, the agency is also considering whether to address long-standing questions about peak wet weather flows at municipal wastewater treatment plants to allow for a holistic, integrated approach to reducing SSOs while at the same time addressing peak flows at POTWs.

To help the agency make decisions on this proposed rulemaking, the EPA will hold public listening sessions, and the public can submit written comments. The EPA will accept written comments on the potential rule until 60 days after publication in the Federal Register. For more information, see [http://cfpub.epa.gov/npdes/home.cfm?program\\_id=4](http://cfpub.epa.gov/npdes/home.cfm?program_id=4).

### **EPA Sets Stronger National Air Quality Standard for Sulfur Dioxide**

The EPA is issuing a final new health standard for sulfur dioxide (SO<sub>2</sub>). The agency is setting the one-hour SO<sub>2</sub> health standard at 75 parts per billion (ppb), a level designed to protect against short-term exposures ranging from five minutes to 24 hours. It is revoking the current 24-hour and annual SO<sub>2</sub> health standards because the science indicates that short-term exposures are of greatest concern, and the existing standards would not provide additional health benefits.

The EPA is also changing the monitoring requirements for SO<sub>2</sub>, which is primarily emitted from power plants and other industrial facilities. Any new monitors required by this rule must begin operating no later than Jan. 1, 2013, and the new requirements assure that monitors will be placed where SO<sub>2</sub> emissions impact populated areas. The EPA expects to identify or designate areas not meeting the new standard by June 2012. For more information, see <http://www.epa.gov/air/sulfurdioxide>.

### **EPA Proposes New Permit Requirements for Pesticide Discharges**

In response to an April 9, 2009 court decision that found that pesticide discharges to U.S. waters were pollutants, the EPA is proposing a new permit requirement that would decrease the amount of pesticides discharged to our nation's waters and protect human health and the environment. The proposed permit, released for public comment and developed in collaboration with states, would require all operators to reduce pesticide discharges by using the lowest effective amount of pesticide, prevent leaks and spills, calibrate equipment and monitor for and report adverse incidents. Additional controls, such as integrated pest management practices, are built into the permit for operators who exceed an annual treatment area threshold. The agency plans to finalize the permit in December 2010, with it taking effect on April 9, 2011.

The EPA will hold three public meetings, a public hearing and a Webcast on the

draft general permit to present the proposed requirements of the permit, the basis for those requirements and to answer questions. Read more about the draft permit by visiting <http://www.epa.gov/npdes>.

## simplifying Compliance

**Kentucky Division of Compliance Assistance**  
**300 Fair Oaks Lane, Frankfort, KY 40601**  
**Phone: 1-800-926-8111**  
**E-mail: [envhelp@ky.gov](mailto:envhelp@ky.gov)**

This message has been sent to past DCA clients and to individuals that have notified the division that they would like to receive information related to environmental compliance or environmental leadership. If you would like to be removed from this distribution list, please reply to this e-mail and we will promptly honor your request.